**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

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**WRIT PETITION No. 4916 of 2006**

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**Dated: 14.03.2006**

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**Between:**

Balabadrapu Satyanarayana, S/o late Venkatachalam,

R/o Indukurupeta village, Devipatnam Mandal,

East Godavari District.

… **PETITIONER**

**And:**

The Additional Agent to the Government, Rampachodavaram,

East Godavari District and others.

… **RESPONDENTS**

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**ORDER**:

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

In this writ petition, the petitioner questions the order of eviction passed by the Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavary District, vide L.T.R.P.No. 380/2004, dated 24.08.2005.

It is the case of the petitioner that the land in Sy.No. 11, admeasuring Ac.0.65 cents situated at Sarabhavaram village, Devipatnam Mandal, East Godavari District, was purchased by his father in the year 1968 from non-tribals, prior to the Andhra Pradesh Scheduled Areas Land Transfer Regulations (for short "Regulations") came into force, and after his death the petitioner has been in possession of the same. While so, in the proceedings in L.T.R.P.No.380 of 2004 initiated against the petitioner at the instance of the Special Deputy Tahsildar, Tribal Welfare-fourth respondent herein, the second respondent passed the impugned order, dated 24.08.2005, ordering eviction of the petitioner from the said land. It is his further case that he has preferred a statutory appeal as per the Regulations on 10.02.2006 along with an application for stay, and the same is pending consideration. The grievance of the petitioner is that while the appeal preferred by him is pending consideration, the respondents are trying to dispossess him from the land in question. Hence, he has approached this Court.

Inasmuch as the appeal filed by the petitioner against the impugned order of eviction dated 24.08.2005 is pending consideration before the appellate authority, it is not necessary for going into the merits of the case. But, as it is the case of the petitioner that his family has been in possession of the land in question since 1968, and by the impugned order, the second respondent ordered eviction of the petitioner for further distributing the same to the eligible Tribals, I deem it appropriate to dispose of the writ petition directing the first respondent to dispose of the appeal preferred by the petitioner, as expeditiously as possible, by giving due notice in advance to him and to the counsel, if any, on record. It is further directed that the petitioner shall not be evicted from the land in question till the appeal is disposed of and the final order on appeal is communicated to the petitioner.

Subject to the above directions, the writ petition is disposed of. There shall be no order as to costs.

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14.03.2006

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